78-1945

Alabama

The Alabama law under which the Alabama Public Service Commission established its new rules for race segregation is word-for-word the same as a Mississippi law which has been upheld by the U. S. Supreme Court.

The pertinent section of the law provides that segregation shall be maintained with the use of separate cars or partitions. It says that the accommodations must be "equal but separate."

The legal history of segregation laws and court rulings is long, involved and difficult for the layman to follow. Many of the rulings have been misinterpreted.

For example, the U. S. Supreme Court ruling on the suit brought in 1941 by the colored Congressman, Arthur W. Mitchell, is often misunderstood. Mitchell bought a ticket from Chicago to Hot Springs, Ark. At Memphis the conductor compelled Mitchell to move from his Pullman to a coach reserved for colored passengers.

The court held with Mitchell unanimously to the extent that he had bene forced to accept second-class accommodations, whereas he was entitled to first class. But the court did not in this case treat with the propsition of segregation at all.

It simply held that regulation of "through-passengers" fell within the jurisdiction of the Interstate Commerce Commission. And since this was so, a section of the Interstate Commerce Act was applicable in favor of Mitchell. One paragraph of this act reads:

"It shall be unlawful for any common carrier subject to the act to subject any particular person . . . to any undue or unreasonable prejudice or disadvantage in any respect whatsoever."

On that basis the court held with Mitchell, but the fact of segregation—with equal accommodations—was not treated with at all.

Elsewhere the court has held:

"Tradition and habits of the community count for more than logic in determining the constitutionality of laws enacted for the public welfare under the police power."

Negroes Win Fight for Homes

P.M.

Fifty prominent Hollywood Negroes, including Hattie McDaniels, actress, and Esther Waters, singer, won a court fight against eviction from their homes in the West Adams Heights district once the home of Los Angeles' highest society.

New York, N.Y.

Eight white property owners sought to enforce a 1937 agreement restricting the district to whites. Negroes testified they had purchased 60 of the 102 lots in the homes.

One Korean family was among the defendants. 12-8-45

The battle began some four years ago, when white residents tried to enforce a restrictive covenant embracing part of the property in the area and barring occupancy by persons "not entirely of white blood."

Sidney P. Dones, Negro real estate broker, was first sued two years ago, but the case was never brought to trial until last Wednesday. Last spring 35 other suits were filed against residents of that area. Additional suits were instituted later.

All the cases had been consolidated in the action, which has now been dismissed.

Loren Miller was among the attorneys in the case.

Anti-Negro Realty Covenant Voided

Daily Worker

LOS ANGELES, Dec. 7.—A realty covenant barring Negroes from the West Adams Height tract was voided in Superior Court here. Judge Thurmond Clark declared in his opinion: 12-8-45

"It is time members of the Negro race were accorded, without reservations and evasions, the full rights guaranteed them under the 14th Amendment to the Federal Constitution."

Suit had been brought by white residents to oust Negro home owners from the area on the basis of a restrictive covenant against "non-Caucasians." The judge dismissed the suit.

New York, N.Y.

Defendants in the case included Hattie McDaniels and Louise Beavers, screen players; Dr. J. A. Somerville, dentist, and Horace Clark, owner of the Clark Hotel, but every Negro and "non-Caucasian" living in this and other tracts under restrictive covenants were threatened with being tossed out of their tract. Dismissing the suits, Judge Thurmond Clark commented:

"This court is of the opinion that it is time that members of the Negro race are accorded, without reservations and evasions, the full rights guaranteed them under the 14th Amendment of the Federal Constitution." 12-7-45

The 14th Amendment provides that rights of citizens shall not be abridged because of race, color or previous condition of servitude.

78-1945 California

Actors Win Jimcro Housing Suit

Negroes Win Restrictive Covenant Suit on Constitutional Grounds

By FLORENCE MURRAY 12-15-45

AT long last, one judge has gone on record against the validity of restrictive neighborhood covenant suits on constitutional grounds, in cases involving the right of Negroes to purchase property and live wherever they please. He is Judge Thurmond Clark of the Superior Court of Los Angeles, who last week dismissed the suits filed against approximately 35 Negro families in the "Sugar Hill" district of the city by white residents.

Included among the defendants, whom white residents were trying to evict from their luxurious homes under an agreement limiting occupany of dwellings in the area to pure Caucasians, were Hattie McDaniels, Louise Beavers and Ben Carter, movie actors, and Noble Sissle, prominent band leader.

In dismissing the suits, some of which have been pending for four years, Judge Clark declared:

"This court is of the opinion that it is time that members of the Negro race are accorded, without reservations and evasions, the full rights guaranteed them under the 14th Amendment to the Federal Constitutions."

This is a number one victory for Negroes and other minority groups in the nation-wide fight for a right to live where they please. Other cases have been won by Negroes in similar suits, but their decisions were based wholly on technicalities not involving constitutional rights.

The cases resulting in victories for Negroes were usually decided on the grounds that the neighborhood in question had changed complexions between the time the covenant was signed and the date of the various suits, or on a legal flaw in the agreement.

One case which was decided on constitutional grounds involved a Mexican family in Los Angeles. In handing down his decision in this case, in October, 1943, a Superior Court judge declared that the covenant was against public policy and "decidedly unconstitutional."

During the same period, however, other judges in the same area ruled against the Negro defendants, declaring that the covenants were legal and enforceable.

LAWYERS DOUBLE EFFORTS

During the past two years Negro lawyers have stressed the fighting of these jimcro covenant suits which have been increasing throughout the north, west and border states, and the District of Columbia. At their recent convention held a few weeks ago, they decided to double their efforts in prosecuting these cases, especially in view of the housing shortage which is prevalent throughout the country. 12-15-45

The suit thrown out last week in Los Angeles involved property in the West Adams Heights tract, where many prominent Negroes had purchased homes in recent years. Although a limited number of defendants were actually named, every "non-Caucasian" living in the tract was threatened with eviction. A Korean family was among those named in the suit.

The area involved is bordered by La Salle and Western avenues and Washington and Adams boulevards. Sidney P. Dones, real estate broker, was first sued, but the case was never brought to trial. Later the other suits were brought.

All of the cases were consolidated for trial with Loren Miller as one of the leading attorneys for the defendants. They argued that the covenants were invalid on constitutional grounds, that the neighborhood had changed in character since the agreement was made: that is, that persons other than pure Caucasian had moved in, and that the delay in brniging the suit barred the relief sought.

Among the defendants in the suits other than those already named were Dr. J. A. Somerville, dentist and former head of the local NAACP; Horace Clark, owner of the Clark Hotel; Dr. W. E. Bailey, Dr. W. Clyde Allen, Dr. J. P. Taylor, Dr. Thomas R. Petyon, well known physicians; K C. Venerable, hotel owner; Lt. Leslie King, retired army officer; Mrs. Senola Maxwell Green, Russell Smith and Nobel Sissle, prominent musicians; and Norman Houston, secretary-traesurer of the Golden State Insurance Company.

LOUISE BEAVERS

BEN CARTER

HATTIE McDANIELS

NOBLE SISSLE

Fifty In Film Colony Win Right To Occupy Homes Despite Racial Restriction Pacts

HOLLYWOOD, Calif. — Fifty prominent Negroes, including Hattie McDaniel's, winner of the Motion Picture Academy Award, and Ethel Waters, famous blues singer, won a court fight against eviction from their homes in the West Adams Heights district, once the home of Los Angeles' highest society. 12-15-45

Eight white property owners sought to enforce a 1937 agreement restricting the district to whites. The Negro owners, who with their sympathizers made a crowd of 250 in Superior Judge Thurmand Clarke's court, testified they had purchased 6 of the 102 lots in the tract in the belief there were no restrictions. They contended it was too late to attempt to enforce a private pact made in 1937 among property owners in the district.

Former Mayor George E. Cryer represented several of the defendants. In dismissing the suits Judge Clark commented:

'This court is of the opinion that it is time that members of the Negro race are accorded without reservation and evasions the full rights guaranteed them under the 14th Amendment of the Federal Constitution."

Burned To Death By Vigilantes

Mother, Two Children Dead, Father Critical; Neighbors Objected

12-29-45

FONTANA, Calif.—(ANP)—Two weeks after receiving a note threatening physical violence unless he moved his family from their newly acquired property in a white section here, O'Day H. Short was critically burned and his wife, Helen, and two children, Carol Ann, seven, and Barry, nine, were fatally seared in a mystery fire and explosion at the Short home Sunday evening.

Short reported these and other pertinent facts to the Los Angeles Sentinel in an exclusive interview the next day.

The sheriff who investigated the fire, reported that Deputy Cornelison and Deputy Glines "on one or two occasions had talked to this individual, Mr. Short, and told him that he was out of his bounds and advised him that he contact the colored chamber of commerce and get together with the white chamber of commerce and see if a lot of disagreeableness could not be prevented." 12-29-45

TOLD TO ADVISE FBI

Atty. Ivon Johnson of Los Angeles, whom Short consulted after receiving the threats, advised that Short, on his advice, got in touch with the FBI, who told him to keep them informed of any developments.

Following the fire, Johnson again contacted the FBI and has been advised that they have asked Washington for permission to

enter the case. Grounds for an FBI investigation are understood to be the alleged existence of a conspiracy on the part of two or more persons to deprive Short of his constitutional rights. Such a conspiracy is considered a crime under federal statutes.

Fontana police stated that, according to Short, the explosion occurred when he was firing a coal oil lantern.

SHERIFF'S ACCOUNT

The sheriff's account declares: "Short claims that they had no electricity down there to use for lighting and it was necessary to use coal oil lanterns: that one of these lanterns had run out of oil and he was at the door at the back of the house, on the south side, filling this lantern with coal oil, and that it exploded, throwing the oil all over him and the family and to all parts of the house.

"That the whole thing happened so quickly and the flames were so heavy that they were unable to get out of the house without being severely burned."

Rumors were widespread in colored community that Short's house was bombed by vigilante whites who objected to Negroes living in the South Fontana area. 12-29-45

YOUNGER, WORST BURNED

Carol Ann, the younger child, received the worst burns. She is learned to have died at about 6:20 p. m. at the Southern Permanente Hospital, approximately 15 minutes after she was admitted. The boy, Barry, died at 2:10 a. m. on Monday, and the mother about 11 a. m. the same day.

Short, whose worst burns were understood to be around the face and head, was given a 50-50 chance to survive by attending physician, Dr. Norman Haugen.

One of Short's white neighbors, Boyd Gilpin, stated to a reported that he saw the fire start in the early evening. He said that it was at one side of the house and that he thought it was a trash fire and therefore didn't investigate immediately.

A picture of the lantern, alleged to have been the cause of the fire, which was taken at the scene of the ruined home, showed that the lantern was more or less intact.

FIRE REPORT 12-29-45

The sheriff's report on the fire stated further: "Upon investigation, we found that the outside walls of the house had all fallen to the outside and that everything in the house had apparently ignited at the same time.

"The conclusions were that this man was apparently using some kind of gasoline or coal stove to cook on and that this had exploded, setting the small house afire practically all at one time, also the explosion causing the walls to fall out."

In his report of vigilante threats, Short quoted Sutherland as stating to him: "Mr. Short, I don't mean to frighten you or insult you, but the vigilante committee had a meeting on your case last night, and they are a tough bunch to deal with. If I were you, I'd get my family off this property at once."

REPLY IS YES

Short said he then asked that if he failed to do so did this mean that physical violence would result. "His reply," Short said, "was 'yes'."

About Nov. 15, Short, a refrigeration engineer, purchased five acres of unimproved property at Randall and Pepper streets, Fontana, and began building a home for his family. The deed on the property, Short pointed out, contained no restrictive clause, nor was he advised at the time of the purchase that there were any restrictions or bars against his residing there.

Although the building was only partially completed, Short moved his family into the new home a few weeks after he paid over the $1,000 installment on the purchase price.

First indication of opposition, Short continued, came when he received a visit from the deputy sheriff, who advised him that some neighbors had complained about his presence there, and also told him that an agreement existing between the Fontana Chamber of Commerce and prominent Negroes in the community provided that Negroes should live only in the Rose Lane district.

DA TO COOPERATE

LOS ANGELES (ANP)—After a conference last week, California Attorney General Robert W. Kenney stated that his office would cooperate to the fullest extent with San Bernardino county authorities in carrying on a thorough investigation into the fire that caused the deaths of Mrs. Helen Short, and her two children, Carol Ann and Barry, on Sunday night.

He immediately dispatched an assistant from his office to Fontana. The deputy left immediately with Mrs. Carrie Morrison, sister of the deceased, and a newspaper photographer. They, together with the district attorney of San Bernardino county, would attempt to obtain an interview with O. H. Short, now in the hospital in a serious condition. 12-29-45

The district attorney of San Bernardino county has also pledged his full cooperation in the investigation.

Attending the conference with Kenney, in addition to Mrs. Morrison, were Leon H. Washington Jr., publisher of the Los Angeles Sentinel, and Attorney Loren Miller.

78-1945 California

Can't Tell Negroes From Whites, Scientist Admits

Chicago Defender - 9-22-45

OAKLAND, Calif. — Who is a Negro and who is white? A scientist testifying in court here this week confessed he could not tell.

The trouble is, explained Dr. Paul Radin, University of California anthropologist, "the overlaps at the extremes of their respective ranges of skin color" makes it difficult to distinguish the races.

Dr. Radin testified as an expert witness for Mr. Mrs. Thomas Stewart in their legal fight against property owners in a restrictive covenant area. Mr. and Mrs. Elmer D. Coleman, white, Berkley property owners, are seeking a restraining order to prevent the Stewarts from buying or living in a house at 1937 Carleton street, Berkeley.

The Colemans, who live in nearby Pittsburg but own property adjacent to that sought by the Stewarts, contend that sale of the property to the Stewarts would violate a race restrictive covenant entered into 13 years ago.

The Stewarts oppose the order on two points:

1—They deny they are "non-Caucasians." Mrs. Stewart contends she is an American Indian.

2—They declare it necessary to expand the so-called Negro district in Berkeley because of the evils of wartime overcrowding which they say tends to increase delinquency. They claim the Negro population in Berkeley has doubled since 1940.

"Mrs. Stewart," Dr. Radin said, "could be an extremely dark Caucasian and her husband, Mr. Stewart, could be a Caucasian of middle range."

100-Year Negro Ban Sought

Chicago Defender

LOS ANGELES — (ANP) — While peoples of the United Nations were rejoicing on V-E Day because Germany, the hot-bed of race hatred, had been defeated, a group here in Los Angeles apparently chose this epochal occasion to launch a bitter attack against colored citizens. Ill.

Property owners in the South San Pedro district found requests in their mail on May 8 that they sign an agreement not to sell or rent to colored citizens within the space of time ending Jan. 1, 2044.

Following is an excerpt from the letter to the property owners:

"Enclosed find agreement imposing restrictions relating to property in the area bounded on the north by the Los Angeles city limits, on the west by Figuerea street, on the south by Rosecrans avenue, and on the east by Central avenue.

5-19-45

"According to our records you are the owner of property described below and we therefore assume that you are just as vitally interested as we are in preventing the occupation of this residential area by persons other than white who have been recently inquiring about the purchase of property in this section.

"To remedy this situation property owners recently formed the Athens Property Owners association, a non-profit organization, for the purpose of imposing race restrictions in this area and assisting in efforts to prevent occupation of any portion thereof by persons of other than the white or Caucasian race.

"Several meetings have been held and much progress has already been made. Some blocks are all signed up except a few out-of-town owners who have not yet been contacted."

Two camps dispute Race "infiltration"

Los Angeles Calif Tribune 7-9-45

To bar Negroes as residents of Hollywood, a new organization called the "Cajuenga Pass Improvement Association" was formed last week, with another group of whites reacting to combat the move.

Apparent cause of the controversy was the purchase of a home in Laurel Canyon by June Richmond, night club singer, and the intention of one of the Mills Brothers to buy into the area.

The "Improvement Association" is headed by John Kingsley, president of the Hollywood chamber of commerce; Carleton Williams of the Los Angeles Times; Delamere Francis McCloskey, lame duck member of the city council; and Haven McQuarrie, radio commentator. All of these spoke at a meeting of 150 persons recently, urging a covenant to prohibit Negro home owners in the district. Kingsley is reported to have told the group that Hollywood is on a keg of dynamite and that the chamber had made a spot map showing the "infiltration" of Negro families, while Williams claimed that the "Negro problem" on the west coast is "very serious and delicate." 7-9-45

The opposition to the move is headed by Mrs. Ruth Hollister, a real estate dealer who is attempting to sell Negroes property in the area, and by Mrs. Willkie Mahoney, resident of the district and wife of a movie gag writer. The two promoted a meeting yesterday (too late for publication) to mobilize against the "Improvement Association". Albert Dekkar, famous actor and well known liberal, also an assemblyman from one of the Hollywood districts, was scheduled to speak, along with Carey McWilliams.

Harold Lloyd Heads Anti-Negro Drive

Chicago Defender Chicago Ill.

LOS ANGELES. — Hollywood's Harold Lloyd lead the fight here this week to spurr anti-Negro and anti-Semetic housing agreements throughout Beverley Hills.

The famous film comedian of the silent screen was reported as the prime instigator of the new Beverly Hills restrictive covenant drive. A recent letter, sent out over the name of the famous actor, called for a meeting of residents here to sign restrictive covenants. 7-28-45

The letter, sent out through offices of the Chamber of Commerce, was disclaimed by company officials who admitted that Lloyd had been elected president recently.

CALIFORNIA

Time

Victory on Sugar Hill

12-17-45

Spacious, well-kept West Adams Heights still had the complacent look of the days when most of Los Angeles' aristocracy lived there. But the look was deceiving. In the Los Angeles courtroom of Superior Judge Thurmond Clarke last week some * Southern colloquialism for "escaped prisoner." 250 of West Adams' residents stood at swords' points. Chicago, Ill.

Their story was as old as it was ugly. In 1938, Negroes, willing and able to pay $15,000 and up for Heights property, had begun moving into the old colonial mansions. Many were movie folk—Actresses Louise Beavers, Hattie McDaniel, Ethel Waters, etc. They improved their holdings, kept their well-defined ways, quickly won more than tolerance from most of their white neighbors.

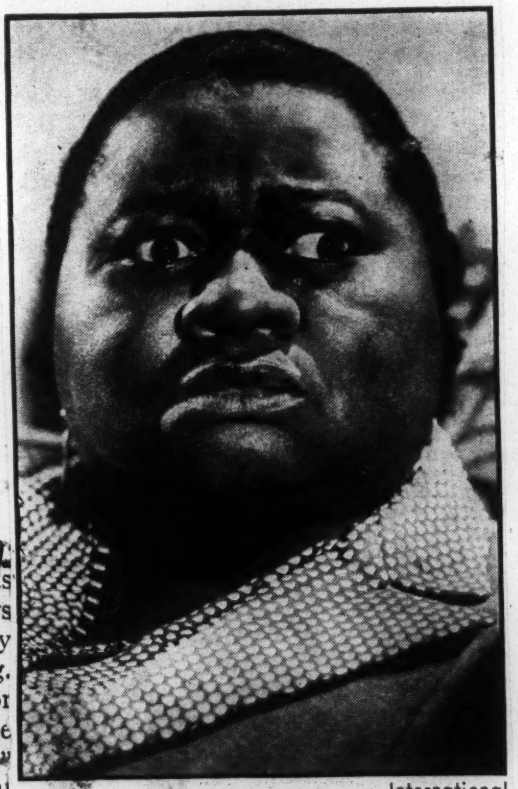
But some whites, refusing to be comforted, had drawn up a racial restriction covenant among themselves. For seven years they had tried to sell it to the other whites, but failed. Then they went to court.

For two hours, opposing counsel argued the constitutionality of eviction injunctions based on private agreements. When he had heard both sides out and considered the overtones, tall, well-groomed Judge Clarke decided to visit the disputed ground—popularly known as "Sugar Hill."

As he rose to leave, spectators noticed a portrait of Lincoln hanging behind the bench. Breathed one burly Negro: "I hope that judge has eyes in the back of his head." 12-17-45

Apparently he had. Next morning, Janus-eyed Judge Clarke threw the case out of court. His reason: "It is time that members of the Negro race are accorded, without reservations or evasions, the full rights guaranteed them under the 14th Amendment to the Federal Constitution. Judges have been avoiding the real issue too long."

Said Hattie McDaniel, of West Adams Heights: "Words cannot express my appreciation."



International

HATTIE MCDANIEL
The judge was Janus-eyed.

CASE TO STATE SUPREME COURT

Pittsburgh Courier

By J. CULLEN FENTRESS, Los Angeles Bureau

LOS ANGELES — After spending five days in the County Jail following their arrest on contempt of court charges growing out of their alleged residential restrictions violations, Mr. and Mrs. Henry Laws, and Mrs. Pauletta Fears, their daughter, were released Thursday of last week on their own recognizance.

Laws, 57, and his wife, Anna, 56, who live at 1235 East Ninety-second Street, were jailed when they refused to abide by an order of Superior Court Judge Allen W. Ashburn last November 20.

ORDERED TO MOVE

Judge Ashburn ruled that they were residing in their home in violation of a racial restrictive covenant and ordered them to vacate it. They refused and were jailed.

Mrs. Fears, 34, whose husband is a Purple Heart wearer and en route home from overseas, was subsequently jailed. Another daughter, 14, was not affected.

Tuesday of last week John T. McTernan, attorney for the Laws family, filed a petition with the State Supreme Court for a writ of habeas corpus. The writ was granted Thursday, releasing Mr. and Mrs. Laws and their daughter until the case can be heard by California's highest court.

An appeal from the decision ordering the family to vacate its home had been denied by the District Court of Appeals previously and the case was taken to the Supreme Court of California.

CITIZENS PROTEST JAILING OF LAWS

Monday of last week a group of Negro and white citizens asked Judge Ashburn to release the Laws in the interest of better understanding among races and contended that the family had been unable to find a place in which to move.

In turning down the request, Judge Ashburn replied that the question of validity of a race restriction clause was settled by a final judgment in May, 1944, by Judge Roy V. Rhodes.

"If I had the power to grant relief in these circumstances, I don't believe this is the proper case for it," the court stated in pointing out that the Laws had remained in possession of the premises since 1944.

COURT IS CORRECT JUDGE AVERS

"I believe the Laws are guilty of contempt. I am satisfied the judgment of contempt is correct. It is the court's duty to see that the lawful orders of the court are obeyed."

Continuing, Judge Ashburn is reported to have said, "I would not, even if I could, grant your requist to release them of contempt. When they elected to not purge themselves of contempt they robbed me of any power to act. The only thing I could do was to grant a writ of habeas corpus and I would stultify myself if I did that. If I could, I would not, and that is all there is to be said."

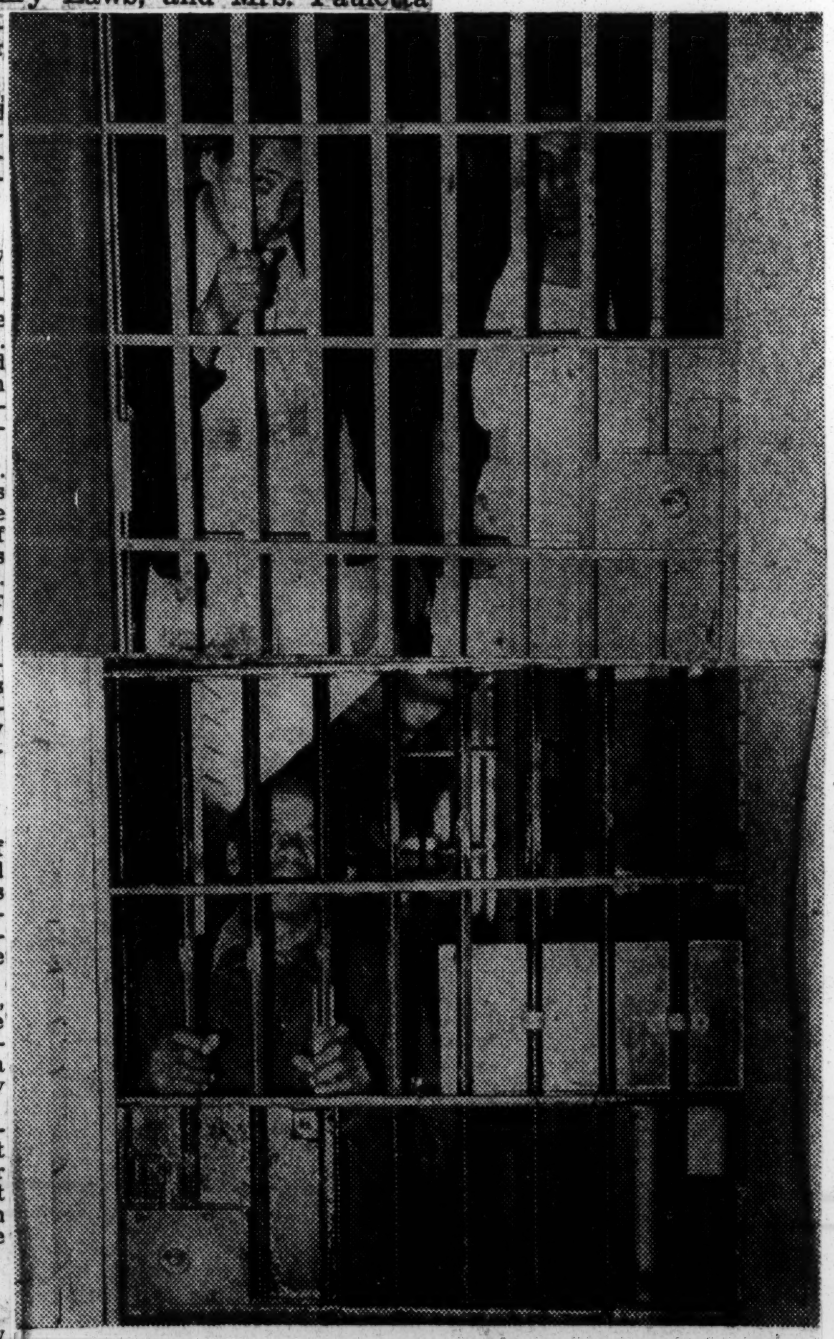
Those composing the committee which waited upon Judge Ashburn included Mrs. Charlotta A. Bass, publisher of a local weekly; the Rev. J. Raymond Henderson, Second Baptist Church; the Rev. Clayton D. Russell, Independent Church of Christ; the Rev. M. Harley DuVall, P. R. Smallwood, of the Home Owners Property Association; William Bidner, of the Mobilization for Democracy Organization, and James Burford, a war veteran and member of the CIO.

NEIGHBORS DO NOT OBJECT

Later, a protest demonstration sponsored by the Home Owners Protective Association, was staged in front of the Laws' home.

Action against the Laws family was filed three years ago by officials of the Goodyear Park Tract Association on the strength of the restrictive covenent, it is said.

Neighbors of the family, however, have no objections to Laws, his wife and daughters living at the East Ninety-second Street address several surveys have shown.



FAMILY JAILED IN FIGHT TO KEEP HOME—Mrs. Anna Laws and h daughter, Mrs. Pauletta Fears (top photo), and the husband and fathe Henry Laws (bottom photo), were in Los Angeles County Jail last wee for violating a court order which would force them to vacate their home at 1235 E. Ninety-second Street, Los Angeles, in compliance with a racial restrictive covenant. The Lawses' home is pictured in photo at top, right.—Cutler Photos.

Laws allowed to remain in home

Los Angeles Tribune (Calif)

The Supreme Court of the state of California will hear the celebrated "House on 92nd street" case for the second time in March, and until then, Mr. and Mrs. Henry Laws, who were out of jail after five days this week, may occupy their home without hindrance.

Granting a writ of habeas-corpus Tuesday, the State Supreme Court, by its action, freed Mr. and Mrs. Laws and their daughter, Mrs. Paulette Fears, from the county jail where they had been confined since Saturday a week ago. The high court action went over the head of superior court judge Allen W. Ashburn, who jailed the trio for contempt of court, growing out of their refusal to vacate their home after a court order. Judge Ashburn reportedly had told a committee of community leaders that he couldn't free the Laws family, and wouldn't do so if he could.

Sentenced to five days in jail and a $50.00 fine, or to 15-days in lieu of the fine, which they declined to pay, Mr. and Mrs. Laws and their daughter were released Thursday afternoon. Returning to their home at 1235 E. 92nd street, which they have struggled for three years to occupy legally, the Laws were greeted by Negro and white neighbors with equal enthusiasm. Living almost directly across from Negroes, but on a restricted side of the street, the family has been the subject of intense persecution, allegedly by a white real estate operators association, despite their acceptance by whites in the immediate neighborhood.

Heavily bearded—jail regulations prohibit shaving—Mr. Laws nursed a cold after sleeping four nights on the jail floor, with only a thin mattress, two wool and two cotton blankets for protection.

"I once decided to stay in there for the whole five days", Laws said. "But I hated to be in there during the holidays".

Mrs. Laws, wearing a blouse, skirt and heavy coat, said: "We're glad to get back. But we were getting a good rest. For what we were in for, I'd go back again".

Their daughter, whose husband was expected home from overseas duty Saturday, was dressed for the ordeal in slacks, shirt, sport shoes and jacket.

"It's educational. It's an experience", she said, adding, "The food was clean, but I just couldn't eat it".

Appeal California Covenant Rule

Pittsburgh Pa. Courier

LOS ANGELES — Attorneys for property owners who were ruled against in the Blueberry Hill restrictive covenant case are preparing briefs to appeal the decision made by Superior Judge Thurmond Clarke, who ruled that race restrictions involving property cannot be enforced by California State Courts, it was learned last week.

More than 2000 property owners who had entered into the district agreement were affected by the decision.

Judge Clarke's decision followed legal principles discussed and supported in recent issues of the law reviews of the University of California and the University of Chicago.

CONSTITUTIONAL BAR

Attorneys for the plaintiffs said there was no law prohibiting property owners from entering into contracts although there is a constitutional prohibition against States enacting laws for racial discrimination.

Property owners in Beverly Hills, Bel Air, San Marino and other wealthy residential sections are expected to participate in the appeal, in order that a final pronouncement can be obtained from the supreme court.

78-1945 D.C.

Davis Breaks Washington Hotel's Jimcrow

By ABNER BERRY Daily Worker

WASHINGTON, Sept. 27.—Councilman Benjamin J. Davis, Jr., broke through a Washington Jimcrow custom yesterday when he obtained a room in the Roger Smith Hotel.

Davis had made reservations from New York with the Washington hotel for his stay there as a witness before the Wood Un-American Committee. N.Y., N.Y.

Doubt had been expressed, however, as to whether the only Negro member of New York's City Council would be given a room when he arrived. But when Davis and his party, which included white and Negro Washingtonians, reached the hotel, everything had been readied for him.

To Washingtonians this was historical, for within the memory of those spoken to not one could recall that a Negro guest ever had been quartered in the Roger Smith hotel. Washington business men, who don't want to be quoted, state that there is an unwritten agreement to exclude Negroes which every businessman catering to the public has to make in order to get a license from the commission governing the city. Therefore many observers feel the hotel management received a directive in this case from official sources.

The only conclusion to be drawn, it is said, is that the tremendous protest movement directed against the witch-hunt Wood Committee because of its summons to Davis caused officials to relax Jimcrow practices regarding him.

In commenting on the development Davis said:

"This is important. It shows that Jimcrow is not invulnerable; it can be broken when it is fought." 9-28-45

He added:

"But I can't be satisfied at being the ONLY Negro to get a hotel room here. We should see to it that any Negro, at any time can get a hotel room in our nation's Capital."

Jimcrow in Washington

The Daily Worker New York, New York 9-29-45

IT WAS news when Benjamin J. Davis, Jr., broke the Washington Jimcrow tradition by stopping at a downtown hotel. It was news because there has been for too long a moral and political callousness on the Negro question. But more than that, it represented a victory of aroused Negroes supported by the labor and progressive movement.

But why should it be news that a Washington hotel lets a room to a Negro? Jimcrow in the very capital of our country remains a blot on our democracy.

And the spirit of Jimcrow still keeps the FEPC bill bottled up in the House, and the anti-polltax bill in the Senate.

The administration gives lip service to the legislation but does not fight for its passage. Reactionaries like Rankin, Bilbo and Eastland are being given too much their own way in their maneuvers against these bills.

Labor and all the people must realize that the reconversion program will be ineffective without the FEPC and anti-polltax laws. Failure to fight for them will weaken the progressive camp as a whole.

The combined efforts of labor, the Negro people, the farmers and middle classes who support a real reconversion program can force passage of this legislation by this Congress.

Congressmen who have not signed the discharge petition for the FEPC bill in the House should be needled into doing so. The Senate Judiciary Committee should be urged to discharge the anti-polltax bill NOW. The initiative must not be forfeited to the reactionaries.

Equal Rights Fight in Capital Eviction Seen

By ROBERT MINOR Daily Worker, N. Y., N.Y.

WASHINGTON, D. C., Nov. 2.—An important fight for democracy began here today when Mrs. Clara I. Mays was evicted. A Washington woman of best reputation, government clerk and owner of her home at 2213 First St., NW., she is being evicted with five small children, her nieces and nephews and one nephew just returned from overseas.

The reason? 11-3-45

She is of a race against which her neighbors have formed a "restrictive covenant," a conspiracy recognized as legal and enforced by the courts here.

She was to be arrested today if she did not obey an order upheld by the United States Appellate Court—an order to get out of her own property solely on the ground that she is of a particular race against whom the conspiracy is directed.

Disturbingly interesting is the fact that the action is participated in by a judge appointed by President Truman—the Missourian, Bennett C. Clark, who makes this beginning in his first case.

Prior to her purchase of the property, Mrs. Mays' neighbors entered into this "restrictive covenant" that no one of the Negro race be allowed to own property or reside in the block. It is as illegal as burglary or murder, but they get away with it, so far. A whole parcel of judges, high and low, and the committees of the House and Senate that govern the District of Columbia, together with the "crapule" of the Mississippi, Theodore G. Bilbo, who acts virtually as Mayor of Washington, are involved in this blot on the decency of the United States.

The CIO and many prominent persons interested in the constitutional struggle that is inherent in this are said to be coming into the fight. 11-3-45

Discrimination In D. C.

Washington, D.C. Post

I, wife of a Negro officer and the sister of a Negro sailor (still in the South Pacific), am now faced with a disheartening example of Nazism in my own community. A citizens' association in a Northeast area of Washington has now started a drive to force a number of Negro families from their homes where for three years they have maintained a high standard of living and exemplary conduct. A covenant broken three years ago by fellow signers is the swastika which they are so proudly waving. 12-3-45

For three years my husband as a military counselor and I as an employe counselor have sincerely worked toward helping other Negroes to arrive at a better understanding of fellow Americans, have helped to convince them that we too should join wholeheartedly in this fight to maintain the democratic way. Now when victory is still so new and shining, we, along with these other families, are being forced to move because, although we are Americans, our skin is a different color.

Have these American Nazis forgotten that there is still a job to be done? Don't they realize that the wounded, the widowed, the fatherless, etc., must still be convinced that all their sacrifices were not in vain? How can there be faith in a democratic way when the reality does not correspond to the definition of this ideal?

NANCY M. LOVELL.

Washington, Nov. 22.

78-1945

Florida

Racial Zoning Unenforceable, Says Judge

The Journal and Guide
Louisville Kentucky

MIAMI—(ANP)—Dade County Commission is without authority to impose zoning regulations on a racial basis, Circuit Judge Stanley Milledge ruled last week.

Judge Milledge's ruling was issued in habeas corpus proceedings brought on behalf of two Negro couples, Felton and Willie Mae Coleman and Jack and Claudia Wilson, who had been held for moving into premises zoned for occupancy by whites. They were ordered released by Judge Milledge.

The premises occupied by the two couples are in Causeway Park, just across from Brown's subdivision.

Information filed against the couples are based on chapter 17-833 general laws of Florida, which seeks to prohibit Negroes from "willfully and unlawfully" moving into premises zoned for white occupancy." 12-1-45

DEFENSE ARGUMENT

E. F. B. Brigham, who appeared for the two couples at the hearing before Judge Milledge, argued the zoning regulation is in violation of 14th Amendment to the United States Constitution and the declarations of rights of the Florida Constitution. He also contended Florida law does not authorize the commissioners to designate in what areas members of races may reside and the commission has no authority to make it a penal offense to reside in such areas.

Attorneys appearing on behalf of the state and county include S. R. Carson, assistant state attorney, Roland Sweet and John C. Wynn, assistant county solicitors; Rep. George S. Okell and Randolph Isom, assistant county attorney. Since their arrests, the couples have been at liberty under bonds of $250 each.

Sam B. Solomon, local editor and publisher, has worked along with Wesley E. Garrison, white, millionaire promoter of the area in question, to smash the undemocratic enforcement against Negroes. 12-1-45

78-1945

General

24 Barristers Meet In Chicago, Study Opposition

20 Restrictive Covenant Cases In Calif. Alone

Atlanta Daily World

7-21-45

9a.

CHICAGO—(A N P)—Plans to s m a s h restrictive covenants throughout the nation were outlined here Monday and Tuesday during the two-day conference of the NAACP's legal committee at the Sherman hotel.

7-21-45

Twenty-four lawyers, representing 10 states and the District of Columbia, plus several technicians in the field of housing, took note of the urban redevelopment legislation as well as city planning laws, which have been proposed in several state legislatures.

HASTIE EXPLAINS

"We considered amendments to those laws and problems of their administration in order to prevent them from being used to extend residential segregation," said Judge William H. Hastie, who presided over the conference.

The lawyers, experienced in handling restrictive covenant cases in their respective states, reported on litigation in their communities and the most effective legal strategy. The conference recommended the appointment of a lawyer as a full-time member of the staff to work exclusively in the field of housing and to assist local lawyers who desire aid in restrictive covenant cases.

Others present beside Judge Hastie, representing the NAACP office of Washington, D. C., were Thurgood Marshall NAACP special counsel, New York; Loron Miller, Los Angeles; A. T. Walden, Atlanta; Theodore Spaulding, Philadelphia; Earl B. Dickerson, Chisago; Judge Charles E. Toney, New York; Theodore Berry, Cincinnati; David Grant and George Vaughn, St. Louis; Oscar C. Brown, Chicago; Willis Graves and Francis Dent, Detroit; Charles Houston; and Spottswood Robinson, Richmond, Va. Dr. Robert C. Weaver, director of community services for the American Council on Race Relations, was a guest of the conference.

7-21-45

ANALYZES DECISIONS

"Robinson's remarks constituted an analysis of all the important decisions within the last 25 years on restrictive covenants," commented Judge Hastie.

Dr. Weaver presented the community effect and social consequences of restrictive covenants, the injury to public health increas to crime and racial tensions resulting from property bans. The conference revealed that there are now about 20 restrictive covenant cases pending California, five in Detroit and several here.

78-1945 Illinois

White Pastor Leads Flock In Fight For Negro Homes

Chicago Defender - 2nd. 2-24-45

A white Presbyterian church here this week threw its congregation into a fight for the rights of a Negro family.

In a startling Christian demonstration members of the Erie Chapel Presbyterian church, 1347 W. Erie street, here marched into an anti-Negro white neighborhood to escort a Negro family to its home. 2-24-45

Mr. and Mrs. John Henry Strong, first Negroes to move into the new district had been threatened and stoned for weeks by vandals who attempted to force them out of the community.

POLICE GUARD NEGRO MINISTER'S HOME IN WHITE NEIGHBORHOOD

Miami Whip

CHICAGO—A police guard has been detailed to protect the Rev. T. H. Dabney's newly purchased home from further vandalism.

Their three-story house, located in a white south side community here, was slightly damaged last week by a mysterious blaze, said to be the work of white hoodlums.

Firemne found that gallon jugs of kerosene, with burning wicks, had been placed in the house. One jug was thrown through a first-floor window and pieces of others with rope attached to necks were found on the second and third floors, Rev. Dabney said.

The minister and his wife were awakened by explosions and found flames spruting in a room on each floor. Although whites lives on both sides of them, Rev. Dabney said no objection was voiced against his moving into the house. Other Negro families live a hlaf-block away. 5-26-45

Hyde Park police immediately assigned a guard to protect the minister's home following a report on the incident.

RESTRICTIVE COVENANTS

New York Age

THE current issue of the University of Chicago Law Review contains a fortright article on anti-Negro property covenants which, according to the author, Harold I. Kahen, Chicago attorney, will deny to Negroes the opportunity to share in post-war housing developments unless the high courts reverse their attitude and decide that such agreements are against public policy. 4-21-45

"Restrictive covenants," says the article, "if they continue to be enforced by the courts, will, in many communities, deny to Negroes the opportunity to secure a share either in the new construction or in the older still-useful properties. Although the burden of restriction will fall with greatest weight on Negro would-be purchasers and tenants. it will be felt as well by property owners whose market will be thus restricted and whose cost of obsolescense will thereby be artificially increased.

"Judicial failure to abandon a rule so costly in its social consequences to the community at large will ultimately require legislative correction, unless the abominable housing conditions for Negroes, and the pernicious effects of such conditions on the general community, are to be accepted as a permanent condition of American life." 4-21-45

Almost two decades have passed since the Supreme Court has rejected arguments that anti-Negro restrictive covenants are unconstitutional, according to Kahen. In the meantime, the problem of Negro housing in cities, already aggravated by growing urbanization and the influx of Negroes into cities to take jobs created by World War I, has again been intensified by the attraction of city employment opportunities during World War II.

We agree with Attorney Kahen that the time is ripe for a re-examination of the question, since Supreme Court decisions seem to be flowing in a direction "favorable to constitutional protection against what were once considered merely infractions of civil rights."

Army Bucks Lily-Whites In Battle Over WACs

Chicago Defender

By RICHARD DURHAM

The War Department dealt a smashing blow here this week to Chicago strongest network of anti-Negro realtors. 6-30-45

Demands that Negro WACs be removed from barracks in the lily-white Hyde Park district were flatly rejected here by the army.

In bitterly-worded telegrams to Secretary of War Stimson, the Hyde Park Association, which have banned Negroes for a century, asked for the immediate removal of 55 WACs now serving war veterans at Gardiner hospital.

The War Department answered that the WACs. quartered in barracks in Burnham Park adjacent to the white community. would not only remain but their numbers are to be increased to 75.

Spur Protest

Furious over the quartering of Negro WACs in Hyde Park, which the millionaire-backed anti-Negro realtors have regarded as sacred white blocks, the association spurred circulation of a frenzied protest in its community paper, the Hyde Park Herald.

Flushed over their recent victory in Illinois' House of Legislature where they blocked passage of a bill outlawing anti-Negro housing agreements, the powerful Hyde Park Associations had sent a delegation to Washington to demand ouster of the Negro WACs.

A. J. McFaul, former Chicago Tribune reporter, who is publisher and owner of the association's anti-Negro papers, told the Defender that he had printed the association's protest only after checking to "make sure it represented mine and the association's sentiments."

Fear Boy Friends

McFaul. regarded by the association as their "front man," told the Defender that the main objection of the realtors to Negro WACs being quartered in Hyde Park was the fear that they might have "colored boy friends coming to call on them."

"I think the association is afraid this will lead to general social intermingling," said McFaul.

The first protest was sent to the War Department on May 16. John J. McCloy. assistant secretary of war. replied on June 2 that the army would not change its decision. 6-30-45

"The army's decision to use Negro WACs in the Gardiner general hospital was based on the needs of that installation where wounded American soldiers of all races and creeds are treated. The barracks for the WACs were constructed in a public park area considerably removed from any residential area."

"In view of these circumstances and particularly since the fact that Negro WACs will be stationed at the Gardiner General hospital is well known throughout Chicago, I regret that the army's decision in this matter cannot be changed," continued the War Department's answer which was signed with the initials "TKG."

Ignoring an army request that they "co-operate with the local authorities in keeping down racial tensions in the areas around the Gardiner . . . hospital," the association's initiated a storm of protest from white property owners and tenants, the majority of whom knew nothing of the quartering of Negro WACs in the area.

Signed by eight white business and realtor organizations, the association. which stated that its purpose was "to promote harmonious race relations," countered:

"We believe that a poll of the patients and staff of the Gardiner general hospital will show that Negro WACs are not wantet or needed for the care, comfort or welfare of the wounded and convalescent American soldiers. There is a negligible percentage of Negro patients in the hospital.

Signed By Realtors 6-30-45

"We do not believe that you personally or your department desire to accept the responsbility for and to become a party to a plan on the part of a few agitators to impose Negroes upon whites in white community and we, therefore urgently request that you rescind this order and immediately bring about a transfer of Negro WACs to a post of duty in keeping with War Department and civilian best interests."

The bitter message was signed by the Hyde Park Community Planning Association, the Hyde Park Chamber of Commerce, the Federation of Neighborhood Associations, the Oakland-Kenwood Property Owners Association, the 55th Street Business Men's Association. the 43rd Street Business Association, the Woodlawn Property Owners League and the Apartment Building Owners and Managers Association of Chicago.

Leader of the anti-Negro realtors in their fight to ban colored residents was reported to be Newton C. Farr, millionaire Y.M.C.A. official and head of Illinois' United Service Organizations. Farr. exposed recently by the Chicago Defender as a promoter of restrictive covenants pacts, has been an official in the Dixie-minded Oakland-Kenwood Association for more than a decade. 6-3-45

N.A.A.C.P. Protests

Meanwhile, Oscar C. Brown, president of the Chicago chapter of the National Association for the Advancement of Colored People assailed the stand of the white realtors and warned:

"We caution the War Department and the law enforcing agencies of our government to take every precaution to thwart every attempt to embarrass or government by the creation of some incident by these forces of bigotry to accomplish their nefarious ends."

Carrying the fight into the Hyde Park community, Dr. Homer A. Jack, executive secretary of the Chicago Council Against Racial and religious discrimination announced the holding of a meeting of white liberals of the community to plan means of counteracting the protests of the property owners.

White Vandals Attack

Chicago, Ill. Defender

Negro Home In Woodlawn

11-10-45

Terrorism struck Woodlawn this week when white hoodlums smashed the windows in a building at 6439 Maryland avenue, recently purchased by a Negro.

Victim of this new outburst of vandalism is Frank Green, 48, who is employed in the city's traffic engineering department.

Green purchased the three-story structure last month, and rented the apartments to Negroes after prejudiced whites moved out when they learned he was the new owner.

A police cordon ringed the building when threats of violence were made.

Green said he had been threatened by Ray McCormick, 6435 Maryland, who lives in the building next door.

Friday night, a number of white men passing the building, yelled: "Hi Niggers!"

Later, as Henry Atwater, Green's brother-in-law, was entering the vestibule, two shots were fired.

One of the discharged shells was found by Green's wife the next morning.

Wednesday night, bricks smashed the windows of the first and second floor apartments.

No Arrests Made

Negro tenants disclosed police have fired their guns twice, but have never apprehended anyone nor made any arrests.

Green asserted police assigned to guard the building, hold conversations with Ray McCormick, the man who threatened him.

Mrs. Vivian McCormick, wife of Ray, is bitterly opposed to Green owning the building.

"I don't think Green and his tenants will stay there long," she told the Defender. "They should have stayed where they were."

A suit to evict the Negro tenants and restrain sale of other property to Negroes has been filed by Mrs. McCormick and Mrs. Bessie McGray, 6417 Maryland avenue.

The suit was filed through the Woodlawn Property Owners' league of which John L. Sharpe is president, and Leo DeTrey is secretary.

11-10-45

DeTrey said he wanted the case tried to see if the law would uphold restrictive covenants.

Ordinary increase in Chicago's Negro population does not give rise to restrictive covenants, declared Attorney Harry Raymond who has been retained to represent the league in its fight to oust Green.

Whites Violate Covenants

Attorney Raymond, who has defended more restrictive covenant cases than any white lawyer in the city, asserted the law regarding these cases has been upheld many times.

Migration of Southern Negroes during the war is responsible for the tightening of restrictive covenant agreements, he said.

"In order for the agreements to be violated," he continued, "it must be by a white man because he is a party to the agreement."

11-16-45

Covenant Rings Tighten

Whites are primarily defendents in these cases because they are the ones who sell, stated Attorney Raymond. A colored person cannot be a party to the agreement.

Restrictive covenant organizations are becoming more prevalent both from an individual and organizational standpoint, he inferred.

"Whites are becoming more vastly organized."

78-1945

Indiana-

White girls refuse to be segregated — with whites!

Los Angeles Tribune
4-9-45

EVANSVILLE, Ind.—(WDL)—With the case against them for disorderly conduct dismissed, Ann Rodgers and Eleanor Guttmann, two young white women arrested here for refusing to observe restaurant jim-crow rules, have filed suit for false arrest and for enforcement of the state civil rights act.

Turning things around somewhat, the girls sat in the section marked "For Colored Patrone Only" in a local restaurant and refused to shift over to the "white section" because of their disbelief in racism. They were arrested and found guilty of disorderly conduct. Appeal to the circuit court resulted in dismissal.

78-1945

Kansas

Segregation Makes Us Pay Twice

The Call Kansas City Mo 9-21-45

The Jackson county court, which in the last few years has not been able to find the money to operate its six county institutions adequately, would have its cost and its worry cut in half were it not for old man jim crow.

There are less than 50 boys at the county home for Negro boys and about 70 at the home for white boys. These 120 boys or even more could be housed, fed, and trained under the same roof at half the cost of maintaining two separate buildings and two separate staffs. The same is true of the county home for girls, the Negro home at the present time housing only six inmates. 9-21-45

78-1945

Kansas

THE WOOLWORTH INSULT TO NEGROES IS A DISGRACE

The Plain Dealer
Kansas City, Kansas

THE JIM CROW lunch counter set aside for Negro citizens in the Woolworth store on Minnesota Avenue of this city is an insult to the Negro race and is a downright disgrace to the state of Kansas and democracy. . . . Also there is a similar setup in the Kresge store at 6th and Minnesota Avenue. Both of these stores are setting up a slave pattern in a free state where the laws prohibit such a practice. . . . This slave pattern and policy of segregation should be stopped before it is carried too far. . . . Who knows that some day other places of business might set up jim crow service. Some shoe store might decide to have jim crow seats to try on shoes, a clothing store may decide to have a separate place to try on suits and other places may form jim crow windows for you to get service. The pattern set up by these two stores is a reflection on the state of Kansas and should be stopped at once.

8-31-45

NEGROES WHO SPEND their money for insults are to be pitied. Surely they are not aware of what danger to our citizenship rights they are encouraging. One of the best ways to get rid of those jim crow counters is to stop spending your money and paying to be humiliated and set off to the side like a dog or some diceased animal unfit to mingle in society. . . . Before this writer would eat at one of those counters, a suitable place would be found on the curb stone on Minnesota Avenue where cheese and crackers would be just as good as TURKEY with all of the trimming at Woolworth's or Kresge's jim crow counters.

In the southern states there are laws for segregation in spite of violating all the laws of God and man. When in the south, we must abide by those laws, but in Kansas there is no excuse for having jim crow counters. Experience tells us that even the southern white man follows the dictates of the laws in the north when they are enforced. . . . He expects to abide by the laws and he expects you to abide by his laws when in the south.

8-31-45

JIM CROWISM and segregation are a curse on society and America must do something about it. . . . Whoever is responsible for the un-American practice at these stores should see that it is stopped. . . . It is wrong. It is just as wrong as Senator Bilbo's philosophy.

78-1945

Masschusetts

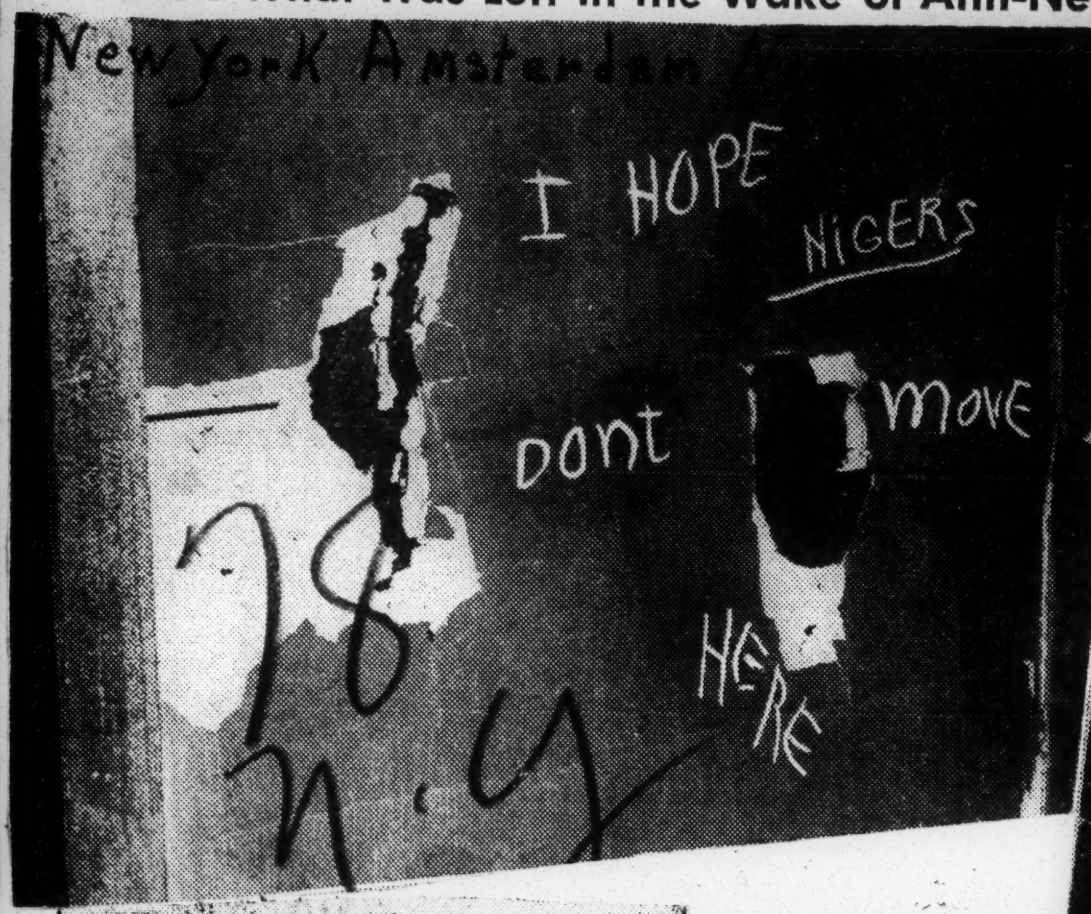
Whites Vote To Bar Negroes From Project

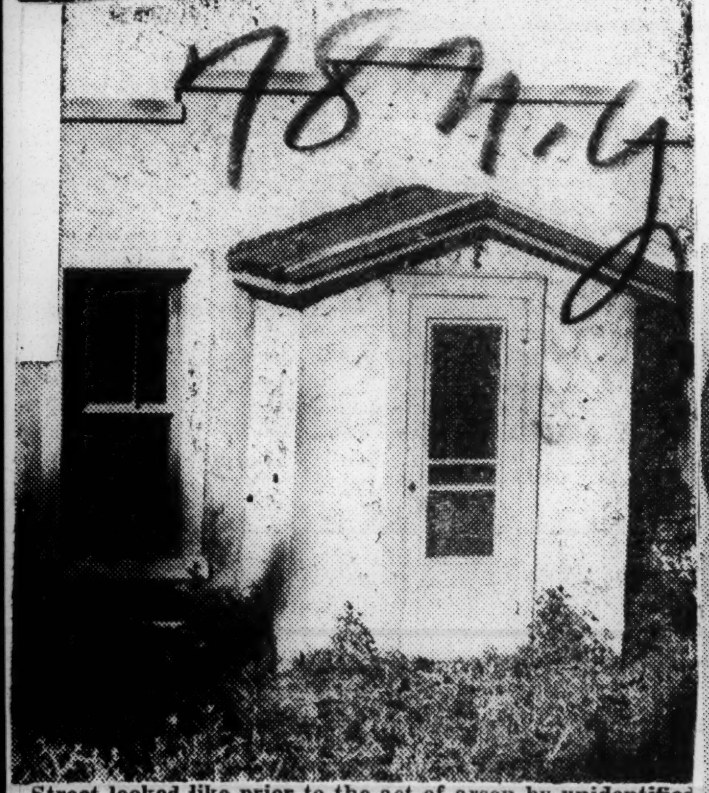
Chicago Defender

SPRINGFIELD, Mass. — White residents of the Lucy Mallary Village voted this week to protest plans to turn the public housing project over to all persons in the low-income wage bracket, regardless of race or color. 3-31-45

At a special meeting of the housing project's "civic" association white tenants declared, "We would rather see the project torn down after the war than converted into a low-income development." Housing officials have fought for the adoption of the project after the war as a step toward racial tolerance.

Here's What Was Left in the Wake of Anti-Negro Vandalism and Arson in the Upper Bronx





Street looked like prior to the act of arson by unidentified Negro haters. Insert are photos of Mr. and Mrs. B Donaldson Blockson, 738 St. Nicholas Avenue, who made arrangements to lease the practically new bungalow. (See story in column eight)—S.W.G.

THIS IS THE PLACE where race prejudice reared its ugly head last week when residents of Baychester in the upper Bronx burned a beautiful bungalow beyond repair to keep Negroes from moving into the lily-white section. The tragic results speak for themselves. Top left shows the workings of a fascist poisoned mind, which wrote on the destroyed interior wall, "I hope nigers don't move here." At the top right and bottom left are inside views of the wrecked dwelling, while at the bottom right is the only resemblance of what the residence at 2340 Rambout

Racial Bias On Loose In Upper Bronx

Destroy Bungalow In Lily-White Residential Section to Bar Negroes

By S. W. GARLINGTON

Unidentified residents of the lily-white residential section of Baychester in the upper Bronx, last week burned beyond repair a six room bungalow to prevent Negroes from moving in, and, climaxed their undemocratic demonstration by scribbling the following on the ruined interior walls, as soon as the ignited race-poison-flames subsided:

"It stinks, I hate 'Nigers.' I'm glad it burnt." "I hope 'Nigers' don't move in here."

. . . This dastardly act did not happen in Germany during the recent reign of Hitler and his Dr. Goebbel's, nor was it fomented in a backward area of Dixie by a race-monger of Bilbo's ilk—it happened in Greater New York; the so-called haven of the tired, the poor, the huddled minorities yearning to be free.

Landlord Is Disgusted

Expressing utter disgust over the tragic fate of the beautiful brown stucco house at 3240 Rambout Street, Baychester, Charles Kontliver, of 71 East 121st Street, landlord of the bungalow, promised to do everything in his power to see to it that Negroes move into the section. He made this vow to Mr. and Mrs. B. Donaldson Blockson, 738 St. Nicholas Ave., who had made arrangements to lease the house. He insisted that Mr. Blockson, who has a knowledge of drafting, draw up plans of any style which he might desire for a bungalow, and, he, Mr. Kontliver, would rebuild it along these lines for the Blockson's future residence.

About eleven years ago, another Negro family attempted to move into the Baychester section and the house was destroyed, and, according to all available information received on the incident, the father of the family mysteriously disappeared and has not been heard of since.

Made Survey of Residents

The Blocksons learned of the Baychester house via an ad in a local daily and contacted Mr. Kontliver, who gave them details of their supposedly new home. However, before the lease was signed, Mr. Kontliver consulted people in vicinity regarding their opinion about having Negroes living in the neighborhood. They informed him, he reported, that they "had no objections to refined, quiet colored people." So, on July 3 the Blocksons drove up to the house with the landlord.

While they were inspecting the bungalow, Mr. Blockson informs, most of the neighbors, one by one gathered into small groups to watch the proceedings at a distance. When it appeared that the visitors were going to lease the house, the onlookers seemed very much alarmed.

Called Them Names

In fact, small children called them insulting names as they drove away in their Packard. Further along at De LaValle Avenue, the report continues, four women shook their fists at the landlord and one shouted "You'se got some hell of a noive."

The trio ignored the remarks and returned home.

Three evenings later, on Friday, July 6, the Blocksons met with Mr. Kontliver to close the deal and sign the lease. Upon arriving at the latter's home he told of the act of arson. He also reported that, while he was investigating the extent of the damage, he called in a neighbor, whom he suspected. A conversation revealed that the neighbors, who are considered very illiterate, have no respect for the Bill of Rights or any anti-discrimination law and did not intend to abide by any of them.

About the Blocksons

A word about the Blocksons, since it is reported that the residents of Baychester did not object to "refined, quiet colored people" as neighbors.

Mr. Blockson, born in Canada, spent most of his life in Providence, R. I., where he completed his education. On one side of his former home in Rhode Island was the estate of the former Senator P. G. Gerry; on the other side, the home of Mr. Sharpe of Brown and Sharpe, and at the rear of his home was Brown University.

Mrs. Blockson, who studied pharmacy in Rhode Island and specialized in perfumes and cosmetics at Columbia University, is at present employed as assistant manufacturer for the firm of D'Arsay Perfumes, 71 Fifth Ave. She is the daughter of the late Dr. William H. Matthews of Newport, R. I., who practiced pharmacy there for 30 years, and was the neighbor of Admiral Sims of World War I and a close friend of the late Booker T. Washington, the late Mme. C. J. Walker, and many other well known and respected citizens.

Vandals Deface Home of Host to Negro Vet

BUT QUEENS RESIDENT IS DETERMINED TO FIGHT RACIST PRESSURE

The home of Queens residents Mr. and Mrs. Jack Axelrod had been defaced five times since Sept. 3, when the Axelrods invited their friends, a homeless Negro vet and his wife, to live with them.

In most of the defacements, electric bulbs, filled with oil and thrown by an unknown racist, spread oil smears over the steps and walls of the house. The latest attack took place on Armistice Day.

The Axelrods have been living at 114-115 230th St., St. Albans, Queens, for four years out of the 24 they lived in the borough. They have known their guests, Mr. and Mrs. John Blackwell, for more than eight years.

The Negro vet, honorably discharged from the Navy, formerly lived with his wife in Brooklyn's Bainbridge St. but was forced to leave when the landlord wanted the house for personal use.

WILL FIGHT BIAS

Both the Blackwells have offered to leave their hosts' home, but Axelrod refuses to hear of it. He insists they remain until the vandalism is cleared up. He's angry over what he calls "petty discrimination and racial hatred," and is determined that the stains on his front steps will stay there as a reminder

78-1945

New York

Judge Supports Landlord Who Bars Negro Co-Tenant

p.m. N.Y. 2-28-45

Tenant Evicted For Sharing Rooms With 'Colored Folks'

PM Exclusive

At least one Municipal Court Justice in New York City believes that landlords have a right to bar Negro tenants from New York apartment houses. 2-28-45

This fact came to light during a landlord-tenant case before Justice Emil M. Haas in First District Court, Manhattan. The case was dismissed on technical grounds.

According to Edward Kuntz, 207 Fourth Ave., the tenant's attorney, the case dates from December, 1944, when William H. Grove, an art editor of the *American Home* magazine, rented a two-room and kitchenette apartment at 42 Perry St. Richard Blackburn, a Negro artist who could not find quarters, was invited by Grove to share his apartment and pay part of the rent. Blackburn, assistant to the purchasing agent of Jordanoff Aviation Corp. moved in Jan. 16.

Two days later, Grove received a three-day notice of eviction.

The landlord, Eleanor C. Hines, based the eviction notice on Grove's violation of a lease clause which said the premises "shall be occupied only by the tenant and members of the immediate family of the tenant." 2-28-45

When the case came before Haas on Feb. 5 Kuntz pointed out that under the OPA (Office of Price Administration) no tenant can be evicted without 10 days' warning to cease violating a section of the lease. After the case had been explained to Haas, the Justice, according to the court stenographer's transcript, entered the discussion by saying:

"Well, he (Blackburn) didn't have any right to move in. They are justified. They don't want to have their place occupied by colored folks."

Kuntz replied that "that is exactly what we are here fighting against."

"No," said Haas, "they have a right to maintain their property as they see fit."

Haas went on to ask why the tenants do not "get out at a certain date." When Kuntz said the tenants would get out only when forced to, Haas said: 2-28-45 "You are going to get out. . . ."

Finally, he said again that "you can't take another person's property and move in with colored folks."

Kuntz said yesterday that the landlord has continued the dispossess action giving the tenants the 10 days' OPA notice. Although the notice was up by the 16th, no further action has been taken by the landlord, Kuntz said.

"The OPA says the tenant can be dispossessed if he violates a *substantial* portion of the lease, Kuntz said. "If the case continues, the Court will have to decide whether Grove's action did violate a substantial portion of the lease by taking in his friend."

Hotel Knickerbocker Pays For Jim Crow

Philadelphia Tribune 1-13-45 p2

NEW YORK, (ANP)—The Hotel Knickerbocker, against which William Bowman won a civil suit because he was refused a room on account of his race, settled the case out of court this week. The verdict was for $500. Bowman accepted $250 in an out of court settlement, donating the amount received to the Workers Defense league and the United Auto Workers-CIO for which he is an organizer.

N. Y. Restaurant Separates Employees at Lunch Hour

AFRO-American 3-31-45

by D. R. RICHARDS

NEW YORK — Charges of discrimination were against the Town and country Restaurant were made by J. Marde Brown, former waiter at the swank establishment who was recently fired for "In subordination."

He revealed to the AFRO that all of its 80-odd colored employees are jim-crowed into the kitchen at lunch time while the white help is allowed to eat in the main dining room. 3-31-45

"Colored workers sit at a makeshift table made of boards." Mr. Brown said. "Not only are their white co-workers given the privilege of a regular table, but colored hostesses have to wait on them, too.

Refused to Serve Captain

"That's the main reason I was fired. I refused to serve a white captain of waiters and he told Mr. Bowman, the owners about it. That was about three weeks ago.

"The next day, I received a phone call at home. It was a dismissal notice. I went down and picked up my pay and left."

Stating that colored employees have to use old, broken dishes, he added, "I'm glad to bring this thing to light. It's the only effective way to fight jim crow. I'm not afraid." 3-31-45

All Found Resentful

The AFRO went down to the Restaurant at 284 Park Avenue and spoke to several persons on the staff whose identity for obvious reasons, cannot be revealed. All resented being forced into the kitchen to eat.

They said that if they were allowed to serve and wait on customers all day, then by all rights they should be extended the privilege of eating together with the white employees in the dining room.

One girl said that the colored help did the most important work at the restaurant. The whites, she added include twenty who work in the laundry, Mr. Bowman; his wife and his personal secretary.

Manager Blamed

"It seems to me this type of discrimination is silly," she declared. "Maybe Mr. Bowman is afraid his customers might object to us eating in the dining room with them.

"If a white man or woman doesn't mind a colored person being around and serving him, why should he object to having that same person eat at the next table? I think this is all the boss's idea."

Discrimination the Only Defect

The general impression gathered from the people spoken to was that they were satisfied with their rate of pay and other things, but felt that this situation was something they could do nothing about. 3-31-45

One man summed it up this way, "It isn't a question of hiring policy. Mr. Bowman likes our work. His segregating us into the kitchen spells only one word—discrimination! I wish there was something we could do."

Personal Observations

There is something these 80 employees can do. A threatened walk-out would quickly produce results—especially in these days of manpower shortage.

The people spoken to had no such idea in mind. It would be a good thing if it happened.

Miss Dunham Wins Battle for House

AFRO-American 2-24-45

NEW YORK — A petition by Dr. I. Daniel Shorrell, lessee, and the E. Seventy-first Street Realty Corporation, owners, of a house at 18 E. Seventy-first Street to restrain Katherine Dunham, dancer, from completing purchase of a house at 14 E. Seventy-first Street was denied Friday.

Supreme Court Justice Bernard L. Shientag, in denying the petition to bar purchase of the house, set February 25 as the date for a hearing on another petition for a temporary injunction to restrain Miss Dunham from using the property as a dancing studio.

In answer to the charge of the petitioners that such use of the property would violate zoning regulations, Judge Shientag said "That's the gamble she's taking. The acquisition of this property in the defendant's constitutional rights."

Refuse to Rent to Negro GI's Wife

Daily Worker N.Y. 8-23-45

Refusal of Staten Island landlords to rent an apartment to Mrs. Gertrude Knight, wife of a Negro serviceman now fighting in France, was protested at a Staten Island meeting on interracial unity Monday night.

Condemning this discrimination, the meeting voted to send a committee to Borough President Joseph A. Palma, asking that this Jimcrowism be eliminated.

Mrs. Knight, who lives with her daughter and son-in-law, Mr. and Mrs. James Cutts, and their two children, was evicted from her present home at 165 Broadway, S. I., after the building was condemned. Efforts to obtain another apartment met with a cold shoulder on the part of landlords.

The meeting was sponsored by the island's International Workers Order Lodge 706.

2 Jim Crow Bathhouses At Rockaway Suspended

Unprecedented Action Taken by Moss Under Civil Rights Law

P.M. 7-24-45

In the first action of its kind under the City and State Civil Rights Laws, License Commissioner Paul Moss suspended two Rockaway Park bathhouses yesterday for five days each because they refused to admit a party of Negroes on Sunday, July 8.

The bathhouses are Curley's Baths, the Boardwalk and 116th St., which has about 1600 lockers, and the Park Inn Baths, the Boardwalk and 115th St., which has about 5000 lockers. They will be closed until midnight Friday, July 27.

Moss ordered an investigation after Jacob Johnson, a 37-year-old veteran who lives at 210 W. 150th St., brought PM his story. Johnson was discharged with 86 points after four years of Army service, of which 38 months were with an anti-aircraft unit in the South Pacific. He and a dozen friends, including a sailor in uniform, could not buy tickets at the bathhouses even after they had summoned a patrolman. When the patrolman was present the Park Inn Baths simply stopped selling tickets, Johnson said.

Two Hearings

N.Y.

After holding two hearings last week, to give both Johnson and the owners of the bathhouses a chance to tell their stories, Moss made his decision public yesterday. He pointed out that all licenses are issued "conditional on full compliance with Federal, State, local laws, and regulations. . ."

Moss said the licensees in this instance "have wilfully and knowingly discriminated against Negro citizens by refusing to grant them admission, although such citizens were willing and able to pay for admission to a public licensed bathing establishment."

"Such conditions cannot and will not be tolerated by the Department," Moss said.

Private Club'

Moss said one of the bathhouses "raised a question of being a private club," but he added that this excuse "is so worn out as not to be impressive. Such a defense is reminiscent of the darker, gloomier days of prohibition.

"A bona fide, genuine club does not require a license from this department," he said. "But any such club established as a subterfuge would come under the jurisdiction of the department."

Moss explained that a second offense would result in revocation of the licenses.

The case was handled for Johnson by Asher Lans, attorney representing the American Civil Liberties Union.

White Tenants Assail Jimcrow Landlady

Daily Worker N.Y. 8-23-45

By BILL MARDO

Tenants at 35 Morton St., when queried yesterday about their landlady, just shook their heads and said bu-ruther!

With Jane Cooley, one of the two Negro girls threatened with eviction, we visited the other tenants of the small run-down Greenwich Village apartment house owned by Mrs. Izabel Vernon Cook.

8-23-45 JANE COOLEY

On the second floor of the three-story building, we chatted with tall, slender Karin Whiteley: "I don't think Mrs. Cook has any right to evict the girls because of their color. It's just a horrible reason."

Mrs. Whiteley needed little prodding to say what she thought about the landlady's management of the house: "The place is in bad condition. Rats . . . roaches . . . no regular fumigation."

One flight above, Mr. and Mrs. Lobsenz were about to have their dinner when we rang the bell. The young, pleasant couple graciously invited us in. They'd been out of town for several weeks and were shocked to learn of the Jimcrow case. But when brought up to date on the news, they lost little time in speaking their piece:

"As far as we're concerned, there's certainly no objection to Negro tenants living in the house . . . and we think it's ridiculous of Mrs. Cook to even bring up the race question."

AN OLD STORY

Downstairs on the first floor, Mr. Foy Badger and Mary Laslo were heatedly discussing their 87-year old landlady's long history of meanness and provocations toward the tenants.

Said the slim, sandy-haired Mr. Badger: "Why these are supposed to be furnished apartments that Mrs. Cook rents—but every stick of furniture here belongs to me. Couldn't use a thing of hers, it was so old and dilapidated. She's plain mean. And I don't blame the girls for padlocking their apartments, I've done the same thing myself.—Mrs. Cook takes it upon herself to enter the apartments whenever she pleases—and while I'm living here she's not going to interfere with my privacy."

8-25-45

Mr. Badger had so much to say against Mrs. Cook it would be impossible to record it all. It can best be summed up with these words: "I'm ready to testify against Mrs. Cook anytime the girls need me."

And what did Miss Laslo have to say? "Well, the landlady may insist she's not evicting the girls because they're Negroes but we all know better. Look at the letter she sent saying she was deceived about their color because she's nearly blind. Doesn't that prove where Mrs. Cook stands on the question of Jimcrow?"

78-1945 Pennsylvania

Kidnap Threat Used to Block Negro Tenants

Worker New York 1-28-45

By WALTE RLOWENFELS

PHILADELPHIA.—On Jan. 4, the O'Connor family received an anonymous letter threatening that their only child, three-year-old Michael, would be kidnaped and have his hand cut off, if they sold their house to a Negro. The O'Connors live near 23d and Lehigh.

A Negro family had bought into this white block a few months earlier. The O'Connors put their house into the hands of William Bazemore, Negro realtor. A "For Sale" sign appeared, and so did the anonymous kidnapping threat. The parish priest came to see them. So did a committee of two men. The O'Connors agreed to give the Committee 60 days to buy their house before selling through Bazemore.

SHORTAGE ACUTE

The O'Connor case dramatizes the grave housing shortage that has gripped Philadelphia. It cannot be contained within any purely "housing" framework. It spills directly over into race-relations, health, youth and educational problems. It affects every phase of life. The solution lies in an an overall housing program, and a campaign to have it enacted, which will unite both Negro and white people, of all classes. 1-28-45

A vast number of new homes must be built. A vast number of present homes must be made liveable. The planning must start immediately, not only for Philadelphia, but for many other parts of the state.

The present planning stage for housing in Pennsylvania is fantastically short of the needs. Even when real planning for a real building and rehabilitation program gets under way, it will be somewhere around two years before any number of new dwelling units are available.

TORY TAINTED

When we talk of postwar planning in Pennsylvania, we cannot forget that the chairman Gov. Martin appointed to his postwar Planning Commission is H. S. Prentiss, Jr., head of the Armstrong Cork Co., Lancaster and a leading ideologist for the most fascist-minded Americans. Prentiss is diametrically opposed to the housing policy outlined by President Roosevelt in his Jan. 2 message to Congress: "thoroughgoing cooperation between industry and labor, and the Federal, State and local governments." Just ten days later, Prentiss told the Union League Club in Philadelphia: "The panacea which is being advertised today under the misleading name of 'planning' is not a preparation for future events and contingencies. It is the abolition of all limitations on government power." It is clear that Prentiss has not changed since he was rebuked by a Supreme Court Justice for his notorious statement: "Hope for the future of our Republic does not lie in more and more Democracy."

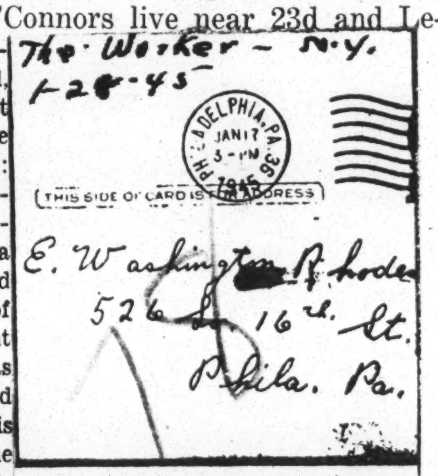
It is also clear that the fight for the initial planning stage for an overall housing program will have to include a struggle against the Prentiss type of mentality which dominates the Martin administration and opposes Federal cooperation. 1-28-45

STATE FUNDS NEEDED

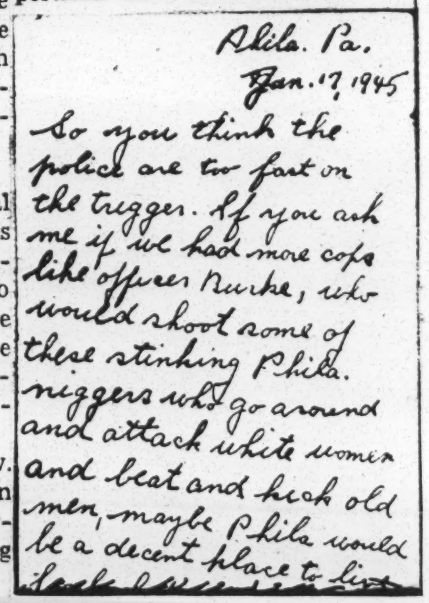
The use of all available Federal funds for public housing projects is essential, but not enough. In addition, there should be state funds to aid housing developments. There must be encouragement to private construction, including semi-subsidized building by insurance companies.

The state has the money. Gov. Martin has set aside 48 million dollars, of the state treasury surplus of 170 million, for retiring bonds that are not due.

The suggestion is also being made that the State Board of Housing be revived to act as an over-all coordinating agency to stimulate and aid housing programs, both private and public. And the existing framework of the housing laws should be brought up to date.



Anonymous postcard mailed to Mr. Rhodes. Unprintable portions have been deleted.


Phila. Pa.
Jan. 17, 1945

So you think the police are too fast on the trigger. If you ask me if we had more cops like officer Rourke, who would shoot some of these stinking Phila. niggers who go around and attack white women and beat and kick old men, maybe Phila would be a decent place to live

78-1945

Segregation- General

22 States Outlaw Public Segregation

AFRO-AMERICAN
3-3/45

By THURGOOD MARSHALL
(From NAACP Bulletin)
Baltimore, Md.

Twenty-two States have enacted laws outlawing discrimination in various forms. These include:

California, Colorado, Connecticut, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Nebraska, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Utah, Washington and Wisconsin.

Two Types

Generally there are two types of civil rights statutes. Some refer to specific types of places to which they are applicable. These contain clauses and mention such establishments as places of public accommodation; amusement, resort, entertainment, or assemblage; public places conducted for hire, gain, or reward. etc.

The other type does not list places to which it applies, but, as in the case of Washington, forbids one to keep a person, because of race, color, or creed, from enjoying accommodations, advantages, facilities or privileges of any place of public resort, accommodation, assemblage or amusement. 3-31-45

Both Criticized

This latter type of civil rights law is criticized because the court often decides that one place, such as a theatre, comes under the law, and that another, such as a soda fountain, does not.

The former type is criticized because the court may not include under the statute any form of public place which is not listed.

Several lawyers conclude that a model bill need not enumerate each particular place to be covered; yet they have definitely gone beyond the general type of statute such as is found in Washington State.

The term "civil rights" is generally defined as those rights which appertain to the person by virtue of his citizenship in a State or community.

The Psychology Of Segregation

Public Opinion
8-22-45

Frank Hill who by the way. has matured quite remarkable literary ability, does a poignant bit of writing in the last issue of "The Masses" on colour segregation below the line in America. "Segregation'!, he writes ironically, "means that the race against whom the barriers are erected are inferior peoples, unfit for normal intercourse with the supreme white man".

This calls to mind the "inferiority complex" of the psychologists, which like all epigrammatic labels, bears within itself a germ of truth, but fails to tell the whole story. It is that story that we now essay to tell, albeit necessarily only in part.

To begin, let us consider the origin of that emotion which assumes a self superiorty and seeks to convince the victim of his inferiority. That emotion is prejudice, or an acute noting of difference. This in turn is induced by phobia. Phobia arises from an inherent sense of inferiority. And thus the paradox that one's assumed superiority arises often from a personal recognition of one's vulnerability. For example, a a small dominant class enslaves a large servient class. Inevitably education and numbers will tell, and the servient class will in time become equivalent to or superior to the former dominant class. The dominant class, recognising its vulnerability or potential inferiority, seeks to maintain the balance by its assumed airs of superiority and by all the arts and wiles of persuasion, calling to its aid the most insidious forms of propaganda and ways of prejudice.

Kingston Jamaica, a

In the meantime however driven by the inexorable evidence of facts the common herd of the servient class actually admits inferiority, but never shakes off its sense of shame And here another paradox appears. Inevitably merit in increasing numbers which the law of average throws up among the numerous servient class (notwithstanding the denial to it of opportunity and privilege), brings with it a sense of conscious inherent superiority, which chafes at the inferiority label attached to it by the dominant class and by its own common herd. With superiority comes the urge to service and achievement. Thus activity and achievements so often credited by the psychologists to the inferiority complex are more correctly perhaps attributable to a consciousness of superiority among the elect in a despised class. And so the assumed superiority of a privilege class may well have its source and origin in it inferiority complex and phobia; while the apparent inferiority complex of a despised class may well be consciousness of merit whicw will not brook denial or frustration.

Karl Marx, Tom Paine and Henry George, the phychiatrist would be regarded as anti-social, and suffering from an inferiority complex. And yet these three men, rejected by respectable society, are demonstrably among the outstanding intellects of all time. Public Opinion

o o o

All of which brings us back to the prevailing scientific truth of the present age, namely that life, events and characteristics are relative and relational The fact that an astronomer, standing on the earth, sees a distant star receding proves nothing in directional movement. For an astronomer in the distant star, with as much cause for assurance, would assert that it is the earth which recedes.

The privileged maintain that "the poor in a lump is bad" The articulate poor say, "we haven't got a privilege-ticket. We haven't got a chance". Employer says labour is unreasonable and inefficient. Articulate labour say "we have been denied opportunity, education, nutrition and economic security

o o o

The white man enslaved the negro and told him he was inherently inferior; and inarticulate negro and coloured man accepted the white man's false standards of value and themselves helped to establish the hierarchy of colour. In Jamaica we know better. We (the editorial we) are convinced that the world mission of Jamaica is to show how men and women of diverse races may mate and mingle and take one anotner for granted. This mission was set in motion in the first place by the conscious superiority of the mothers of the new race and later by the actual achievements of negro and coloured, in competition and cooperation with their white brothers and sisters,

What price St. Dominique (1791-1805) ? What price Toussaint L'Ouverture, the negro slave, as great a military genius as Napoleon, and a greater Civil Administrator and a nobler man. What price our own P.N.P. leaders ?

HENDERSON'S COMMENTS

By DR. EDWIN B. HENDERSON

The Washington Tribune
Washington, D. C. 9-8-45

Residential Segregation

At the recent hearing before the Recreation Board of the opponents of segregation in recreation, and the two proponents of the system, the only arguments given by the two speakers who said they represented organized citizenry in favor of segregation were that segregation was a natural social technique, and that it was justified in that children were often separated from adults, and men from women—unless they were married.

One speaker, after expressing his ability to get along with colored people, said that his reason for supporting segregation was because in his tender years as a pupil in a mixed elementary school in Philadelphia he learned obscenity and vulgarity from the poor little colored children, which has plagued him until now. He also added when challenegd, that other reasons for his support were the facts that Negroes were largely affected by tuberculosis and venereal disease. I won't comment upon the puerile reasons purported to be those of organized white citizenry.

There is no place in a true democracy or Christian country for segregation by law except to segregate criminals, the dangerously insane, and those suffering from contagious serious illnesses. Even these return to society when rehabilitated or cured. The Negro citizen, no matter if he pays for liberty by giving up his life in our wars, realizes that no matter how high he rises in the economic, cultural or social scale, in America he must remain a Pariah.

In the two preceding comments we dealt with inter-personal forms of discrimination in which the basic fear of those who had the power to enforce segregation lay in the dread of violation of "race or sex purity". Residential segregation is basic in a mechanical sense to the adherents of the philosophys of social segregation.

Where informal pressure has not been sufficient to keep the Negro in his place, the various legal sanctions, the latest of which is the restrictive covenant device.

Residential segregation by law and will of real estate operators must go if America is to have a seat at the table planning peace for the world. Just now we are becoming the laughing stock of Rusia, and much of the rset of the world, when our Secretary of State advises other countries and Japan that they must adopt the principles and practices of democratic America, while in his own state that he represented for many years in Congress, only ten percent of the people vote, and the most undemocratic practices in other social fields prevail.

One of the chief beneficiaries of residential segregation in the modern city is the controlling real estate ring. An artificial scarcity in housing is effected by residential segregation practices. Out of this institutional segregation which we will deal with in the concluding article. Residential segregation is father to the slums, and permits public officials to deny Negro neighborhoods paved streets, lights, adequate sewage and refuse disposal. It favors juvenile delinquency, crime and disease. Residential concentration is determined largely by three factors: poverty, ethnic attachment and segregation enforced by white people. As poor people become huddled together the more does social force tend to keep them segregated.

As soon as the Pole, the Italian or the Czech becomes Americanized he ceases to be a Pole, an Italian or Czech and becomes an American and can move on to the "west" side; the Negro must remain in the segregated area of his racial group. Although the difficulties in rising higher economically, educationally or socially are harder, the Negro must always be an alien in the country of his birth.

Negroes are forced to pay higher rentals and buy at beyond ceiling prices. There have been cases when a Negro family was "forced" into a white neighborhood in order to drive the whites in panic out, and thus increase sales in newly constructed areas while making Negroes pay exhorbitant prices to get into the abandoned neighbornood. Even Negro realtors have been known to conspire with their fellows in sin to cause prospective colored purchasers to pay higher costs than the market prices. In one case in our own city when whites would not buy some poorly constructed water soaked dwellings, the realtor simply erased the word white, substituted "or colored", and painted out the price $6,700, and painted in $7,800. Negroes bought all the houses. 9—8—45

It is this sort of thing that has driven capitalism out of many countries and caused collectivism in some form, whether of fascism or communism to take over. When the ignorant Negroes become better acquainted with the real meaning and influence of segregation in all forms upon their lives, whether of the interpersonal, residential or institutional forms, they will learn sense enough to cooperate with poor foolish white people, who are as yet blinded by racial prejudice, to prevent undemocratic principles and practices now being used to exploit them.

Ford Company Loses Suit to Block Negro Housing Project at Detroit

Daily Worker 5-31-45

By HARRY FAINARU New York, N.Y.

DETROIT, May 30.—The Ford Motor Co. lost its effort to block construction of the unrestricted housing project in Ecorse Township, when Federal Judge Arthur J. Moinet denied its petition for permanent injunction. 5-31-45

"I do not think the Ford Motor Co. can maintain this case," Judge Moinet said.

The land for the 1,400-unit Negro housing project was obtained by the Federal Housing Authority, through seizure proceedings, from the Ford Co. The company was quick in obtaining support from officials of some adjoining communities, and of Detroit, and the two Michigan Senators. Sen. Vandenberg, faced with an avalanche of protests, denied that he had taken any action in the matter. Congressman John Lesinski jumped on the Ford bandwagon and introduced a bill against the project.

William G. Nicholas, director of the UAW-CIO Housing Dept., commenting on Lesinski's action, said it is "typical of the irresponsible action Congressman Lesinski has taken on several vital issues."

HOUSING NEEDED

Dr. T. T. Brumbaugh, executive director of the Detroit Council of Churches, pointed out that many unprejudiced organizations and citizens of Detroit and Wayne County are convinced of the critical need for additional housing for industrial workers, regardless of race.

"The greatest need is among returning servicemen, who include many Negroes," said Dr. Brumbaugh.

A city-wide conference on housing, a few days ago, attended by some 500 delegates, and representing the broadest and most representative organizations in the city—Negro and white—went on record for the project and condemned vigorously the anti-democratic attitudes of the Ford Motor Co., Rep. Lesinski and others.

Dr. Bruce H. Douglas, Health Commissioner, and Police Commissioner John Ballenger, pointed out that poor health, disease, high rate of mortality, juvenile delinquency, crimes are most frequent in the blighted areas of the city, irrespective of race or color or nationality.

NO VACANCIES 5-31-45

The police commissioner said that the only way to effect a change in the critical conditions of housing is for a large enough number of people to detmand it. George Schermer, FFH director in this area, who resigned to become director of the Mayor's Interracial Committee, revealed that vacancies for whites are less than one percent, while for Negroes it is zero. Schermer further said that out of 12,000 applicants for housing in 1944 only 2,000 were cleared.

He warned that with the return of the servicemen there will be created a grave situation. He scoffed at those who blabber about the imminent departure of immigrants. Schermer said that "in-migration will continue to be greater than out-migration." 5-31-45

He further revealed that one-sixth of housing in Detroit is blighted, and ought to be torn down.

3-Year-Old Hamtramck Suit Decided

Detroit, Mich.

Detroit Free Press

Units Opened for 22 White Families

7-21-45

Circuit Judge Thomas F. Maher has ruled that a resolution adopted by the Hamtramck Housing Commission which bars Negroes from the 300-unit Colonel Hamtramck Homes, a war project, is constitutional.

Maher gave his opinion on a three-year-old suit brought by Leroy Glenn White, a Negro taxpayer and resident of Hamtramck.

Named in the suit were Hamtramck City authorities, the Hamtramck Housing Authority and the National Housing Authority.

* * *

AT THE SAME time Maher stipulated that unless the planned all-Negro housing unit were constructed within a "reasonable time after material restrictions are lifted," the case might be reopened. 7-21-45

White asked in his suit that the Hamtramck commission be restrained from discrimination against persons of the Negro race in accepting applications and granting occupancy.

White charged that the resolution violated the State civil rights act and also the Fourteenth Amendment to the Constitution.

Judge Maher dismissed the suit as far as the National Housing Commission and the Federal Public Housing Authority were concerned. Detroit, Mich

IN RULING that Negroes may legally be barred, Maher said:

"It is the opinion of this court that public housing projects are not included within the terms of the State civil rights act."

Declaring that the Fourteenth Amendment had not been violated, Maher pointed out the Supreme Court has ruled that "no violation exists if the races are treated equally though separate accommodations are provided when no state law prohibits separation."

An immediate effect of the ruling will be to throw open to occupancy by white persons only 22 units in the project heretofore kept vacant under terms of an injunction granted one year ago by Judge Guy A. Miller.

Meanwhile, Maher denied an injunction to restrain White from interfering with the housing project. In denying the Housing Commission's request, Maher declared that police and civic authorities would "handle the matter if occasion arises."

Negro Vet Denied Home by Jeffries

Daily Worker N.Y., N.Y.

10-8-45

Special to the Daily Worker

DETROIT, Oct. 7.—The Jimcrow policy of Mayor Edward Jeffries, Jr., was on shameful exhibit when his Detroit Housing Commission rejected an application for housing by a Negro veteran because it would "change the racial characteristics of a neighborhood."

The rejection is all the more brazen since it came after the Negro, Charles Johnson, had applied for a house as a veteran, and was certified. 10-8-45

Johnson, who applied on the basis of "need and availability" was told there were no available units in the Negro projects. He said he was willing to accept housing in any project, but this plea too was rejected by Charles Edgecomb, Jeffries' Housing Director, who made it clear that segregation is still the policy of Jeffries and his Common Council.

The Negro veteran, who was released two weeks ago, served three years in the Coast Guard, 14 months on sea duty. He is married and has a son. 10-8-45

Johnson is protesting this policy of Jimcrowism. His mother, Mrs. Beulah A. Johnson, said that her son, Charles, was shocked to suffer such humiliation.

"My boy has come home after serving his country, and it is a terrible shock to him," she said.

The behavior of the Housing Commission was all the more insulting, when Johnson went into the Housing office with a white veteran who was given every consideration.

"Maybe it will be better for some of the others who are yet to come back if boys like Charles register their protests of such treatment," declared Mrs. Johnson.

Segregation- Oregon

78-1945

Portland called most prejudiced Coast city

Los Angeles Tribune 7-21-45

PORTLAND, Ore.—This metropolitan area, the Negro population of which has increased from 1,200 to 20,000 since the war, shows more racial prejudice than any other coastal metropolis, according to Reginald A. Johnson, field secretary of the National Urban League. Johnson, recently here, reported an unusual proportion of "white only" restaurants and other signs of discrimination.

The situation will present "unpleasant possibilities" when Negro residents, most of them shipyard workers, are thrown into the job-seeking pool after the war, Johnson said.

His proposals: Housing built for economic, not racial, groups; a fair system of lay-offs in war industries; and development of new peacetime industry.

78-1945 Segregation- Seattle, Washington

By Carey McWilliams:

Jim Crow Creeps Into Coast Projects; U. S. Policy Lag Blamed

Pm—New York, N.Y.

4-26-45

This is the concluding article in Carey McWilliams' series on West Coast racial relations.

The lack of a clear-cut comprehensive Federal policy has, in large part, been responsible for the tensions so clearly discernible in the Northwest. The housing projects in Seattle, under the brilliant direction of Jesse Epstein, constitute the one bright spot in the Federal picture. Segregation, in one form or another, prevails in the housing projects in Portland, Vancouver, Bremerton, and Port Orchard.

At a meeting of Federal and local officials in Portland, June 8, 1944, a report was prepared to the effect that the exodus of white war workers from the area was primarily occasioned by the influx of Negroes and in which the recommendation was made that all Negroes should be segregated in a single project. That a group of Federal officials, representing a variety of Federal agencies, should have concurred in such report is in itself a sufficient commentary on the lack of a clear-cut Federal policy.

In a highly fluid social situation, the Federal Government has in effect been planting the seeds of Jim Crow practices throughout the region under the guise of "respecting local attitudes." For the practices that have now been established in the housing projects are likely to be carried over into the postwar period. Already, in communities such as Bremerton and Port Orchard, one can see Jim Crow developments coming into existence around the outskirts of segregated Government housing projects.

At the great Pasco project near Hanford, Washington, E. I. Du-Pont de Nemours & Co., and the U. S. Army Engineers have imported Jim Crow practices on a wholesale scale. Thousands of Negroes have been brought into the area from the Deep South (on May 28, 1944, some 900 Negro women and 4100 Negro men were employed at the project). Arriving destitute, many of these Negroes have been compelled to accept types of employment for which they were never recruited. Complete segregation prevails.

Family Units Needed

4-26-45

No family units have been provided for Negroes, although such facilities are available for other workers. Virtually no recreational facilities exist for Negroes, and, in the towns, they are rigidly excluded from restaurants, hotels, and cafes. All of these practices were *imported* into an area where, prior to the war, no Negroes resided and Jim Crow practices were unknown.

Most of the Negro migrants, despite the low scheming of communities such as Portland, will remain on the West Coast. Over a period of the next year or so, there will probably be a considerable reshifting of Negroes within the area, with Seattle and Tacoma and Los Angeles receiving Negroes from Portland, Bremerton, Port Orchard, and other communities. But a minimum of 65 per cent or more of the Negroes will remain on the West Coast. Southern Negroes, in particular, like the West Coast despite the difficulties they have encountered. In conversation they refer to the Southern Pacific trains that brought them west as the "liberty trains."

4-26-45

Better Prepared

In general, California is much better prepared to integrate its enlarged Negro population than either Washington or Oregon. The large Negro community in Los Angeles, for example, is well-organized and its leadership is excellent.

Both San Francisco and Los Angeles have strong inter-racial organizations and Negroes are fairly well integrated in the trade union movement throughout California. The main tension area in the state is the East Bay District with a Negro population today of around 40,000, in the cities of Vallejo, Oakland, Alameda, and Richmond.

Today the West Coast has become a microcosm in which is reflected the totality of racial tensions existing in America. In the past, one minority group after the other has been brought into the region to meet a particular manpower shortage (much as they have been imported into America for a similar purpose) only to be excluded once the particular emergency has terminated.

The exclusion of each group has in turn, merely resulted in the importation of some other group when the next emergency developed. Thus the exclusion of the Chinese was followed by the influx of Japanese; the exclusion of Japanese by the importation of more Mexicans; and the exclusion of Mexicans, during the depression by the influx of so-called "Okies" and "Arkies." The same pattern is being repeated today. For the evacuation of 110,000 persons of Japanese descent has been a factor in stimulating the influx of more than 200,000 Negroes.

Certainly the test is going to come in the post-war period. Given a prolonged period of mass unemployment, these existing tensions could quickly assume dangerous proportions throughout the region. While a new interest has been aroused in the whole situation, the planning that has thus far been accomplished, even in the most progressive communities, does not measure up to the proportions that the problem has now assumed.

Oddly enough, the seriousness of the situation, the growing realization of the dangers involved, has brought about a feeling in extremely influential circles of opinion on the coast that the region can no longer tolerate organized anti-Japanese activity; that any manifestation of racial violence in a region so charged with potentially explosive issues might quickly spread and involve entirely unintended victims; and that the growth of racial antagonism, if unchecked, may conceivably frustrate plans by which the region hopes to cope with its acute post-war employment problem.

4-26-45

It is hoped, therefore, that the United Nations Conference may provide the stimulus for the West Coast to set a new example for the nation by organizing majority opinion behind a major effort to banish racial discrimination. For this is the task that must be fulfilled if we are really to join the United Nations of the World.

PUBLISHING DEPARTMENT

Christian Index
Jackson, Tenn.

Negroes who spend their money for insults are to be pitied. We have some joints here in Jackson you can't get in them for our group. Surely they are not aware of what danger to our citizenship rights they are encouraging. One of the best ways to get rid of those jim crow counters is to stop spending your money and paying to be humiliated and set off to the side like a dog or some diseased animal unfit to mingle in society. This is a fundamental question, that challenges Negroes and friends of our advance. We must learn to do our business in the town or city and get back home, standing around all day, does not pay. If you do have to eat before I would eat at the joint cooped off from everybody, cheese and crackers would beat turkey and trimmings at the jim crow counter. We must learn to resent some things. We can do so by keeping our money. I think the church should take a stand on this all important situation. The church is the fore runner of all civilization. The consecrated blood of yesterday has made the best in our society today. Every liberty we have springs from ancient graves of the church. Civilization is a tree that has been watered by the tears and blood of yesterday church. This will tell you what I am trying to say: A father gave his son a globe to stimulate the youngster's interest in geography. The boy kept it on the table close to his bed. One night listening to a broadcast the father wanted the globe to look up an island in the Pacific. It was Okinawa, and like milions of us he didn't have the ghost of an idea where it was. He went into his son's room. He thought the boy was asleep. But when he started out with the globe the boy asked him, What are you going to do with my world? Now for me, it does not mean much. I have only a few years more at best. But what are you going to do with my world, who is but ten, fifteen and twenty years old? I must come up in my world. What is the church going to do with my world? What will politics do with my world? What will labor do with my world? What will race hatred do with my world? What are you going to do with my world? For it will be their world and they will have to live or die in it. Now it is in our hands.

10-4-45

One of the very effective advertisements of the clothing drive for Europe which was carried on in the United States in the spring of this year contained a drawing of three people in the shivering liberated countries in Europe. A man, a woman, and a child. They were all dressed, if that is the word, in rags. And underneath the drawing were the words: "You must have something that fits." The response to that drive indicates that many millions of people found that they did have some thing that fitted a great need. Give that appeal a larger setting. Every person has something that fits. A desperately urgent human need. Now that victory over Japan brought once more to the front—and sharply the unfair manner in which colored men in uniform are being treated as to dischargers from the service; according to a victory statement issued August 15 by the office. This statement does not fit so well for the colored service men. The colored Americans rejoiced with the rest of our nation and world that the enemy has been beaten and that organized killing has ceased. The statement said but we can not forget that while millions of service men and their families are looking forward to release from uniform, our men for the most part are being held in the service, either by unfair rules or by arbitrary administration of the rule. But suppose we leave the subject for further consideration.

The Publishing department of the Church does not get a fair deal. We have everything upon us as a department. We have a job on hand trying at times to collect. And should we fail no one seems to care. We can't do work and wait a year for pay. We have a weekly payroll every month. I am trying to get the ministry of my church to arise and shine for the time has come. We should have in mind more than this, going to the General Conference to stand by my Bishop and bring him back. And elect more Bishop to stand with and by. We should think about the future of our ministry and the Publishing Department, with the other departments. We heard nothing about the Publishing Department in our annual conferences. Some brother saying I am going to run to get before the church. He means that too. I wish we had wisdom enough to go down in the field and get a chief pastor. Not think because a man is a general officer he should be a Bishop in the church. I wouldn't say this but I am a general officer. God bless you my brethren. I hope and pray you will awake and put on your strength.

AGENT

78-1945

Virginia

Richmond Times Dispatch
Richmond, Virginia

Westwood and Democracy

Editor of The Times-Dispatch:

Even though the effort on the part of some neighboring white people to eject 65 Negro families from Westwood (the Negroes were the first settlers) has failed, the City Council still refuses to give sewerage and water facilities to Westwood. Why? 9-23-45

Is it because Westwood does not yield as much city revenue as some think is necessary? In a democracy the civic rights of citizens are not measured by the amount of revenue, but each is for all and all are for each. Is it because some of the members of the committee in whose hands the matter now is keep the petition on the "table" because of fear of unfavorable reaction from some of the white neighbors of Westwood? Since the election measure has failed, is it not more than reasonable that sewerage should be put in Westwood?

Is it not in keeping with the dictates of common sense to put sewerage in Westwood, since the health authorities have decreed that, without sewerage and water, Westwood constitutes a health menace to both white and Negro citizens in the community?

Can it be that some Councilmen who favored ejection want to assume a retaliative and punitive attitude to their opponents and to the Negroes of Westwood? Men should be good losers in all fair games. 9-23-45

According to our recent daily papers, efforts are being made to put storm sewers in all Richmond, and sewerage in all Chesterfield. Everywhere, except in Westwood. Is this to be the treatment of the fair white people of Richmond to the "best Negroes" in the South? Is this democracy? Justice? Humane? Right? In the meantime the Negroes of Westwood are still law-abiding, loyal, industrious and patient. Their daily prayer is, "O Lord, how long?"

W. L. RANSOME.

Richmond.